

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

Date of Arrest: June 26, 2019

UNITED STATES OF AMERICA
Plaintiff,

Vs.

MAGANA-Arias, Guillermo Isidro
YOB: 1972
Citizen of Mexico

Defendant.

) Magistrate's Case No. 19-1503MJ
)
) COMPLAINT FOR VIOLATION OF
) Title 8, United States Code,
) Section 1324(a)(1)(A)(ii)
) Transportation of Illegal Aliens
) Count One
)
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)

I, the undersigned complainant, being duly sworn, state that the following is true and correct to the best of my knowledge and belief:

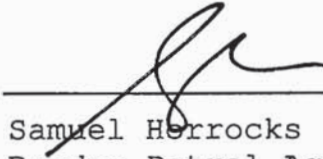
COUNT ONE

On or about June 26, 2019, near Yuma, Arizona, within the District of Arizona, Defendant Guillermo Isidro MAGANA-Arias, knowingly or in reckless disregard of the fact that certain aliens, namely: Pablo ANTONIO-Martinez, Jose ANTONIO-Valera, Orlando Fabian CORRALES-Martinez, Fidel CORTES-Guerrero, Isidro DE LOS SANTOS-Chavez, Martina FLORES-Chavez, Victoria FLORES-Nava, Carmen MALDONADO-Rojas, Gregorio MARCELO-Medina, Pedro MARTINEZ-Hernandez, Cesar MARTINEZ-Ortiz, Ismael MONTEALEGRE-Cortez, Maurilio MORENO-Ortiz, Marcelino OLIVERA-Moreno, Manuel ROSAS-Gonzalez, Mauricio SALAZAR-Betancourt, and Porfirio VASQUEZ-Dias, had come to, entered, and remained in the United States in violation of law, did transport and move or attempt to transport and move said aliens, in furtherance of such violation of law, in violation

of Title 8 United States Code Section 1324(a)(1)(A)(ii) (Transportation of Illegal Aliens) (Felony).

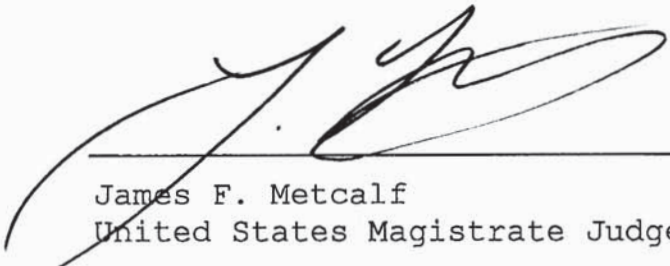
And the complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

Louie Uhl AUSA
Authorized by: AUSA Louie Uhl



Samuel Herrocks
Border Patrol Agent
United States Border Patrol

Sworn to before me and subscribed in my presence, June 27, 2019, at Yuma, Arizona.



James F. Metcalf
United States Magistrate Judge

UNITED STATES OF AMERICA

v.

Guillermo Isidro MAGANA-Arias

STATEMENT OF FACTS

I, Samuel Horrocks, being duly sworn, do state the following:

I. FACTS

At approximately 2109 hours, Charlie 11 working in 854 (Yuma Sector's camera operator) advised via service radio, that a sensor had registered multiple hits. At approximately 2116 hours, Charlie 11 obtained the first visual of subjects on camera. 854 observed a group of approximately 15 subjects headed eastbound near County 17th approaching the levee. At approximately 2119 hours, BPA Garry Wegener, and Eric Rivas witnessed a pick-up truck headed westbound on County 17th from Highway 95 towards the location of where the subjects were being monitored on camera. At approximately 2122 hours the subjects were seen crossing the Salinity Canal at the County 17th bridge and continuing eastbound. At approximately 2125 hours the subjects were seen loading up into the bed of the pick-up truck. At 2126 hours, 854 notified via service radio that all subjects had loaded into the pick-up truck and the vehicle began to travel eastbound on County 17th towards Highway 95. Once the pick-up drove past BPA Rivas and BPA Wegener could see multiple subjects in the bed of the pick-up truck. The agents proceeded to activate their vehicles lights and sirens and followed the vehicle eastbound on County 17th, across Highway 95. They confirmed multiple bodies in the bed of the pick-up truck. The pick-up truck continued eastbound until Ave G and then travelled north towards Highway 95.

At approximately 2132 hours, the pick-up truck yielded on Ave G approximately 200 yards north of Highway 95. On approach, BPA Wegener observed the driver exit the vehicle and attempt to run south. BPA Rivas apprehended the individual that exited the driver's seat of the truck. Two subjects climbed out of the bed of the pick-up and attempted to run west. BPA Wegener apprehended the two subjects

running west away from the truck. The remaining subjects stayed in the bed of the pick-up truck and were apprehended by supporting units that arrived on scene. Initially the driver and 16 subjects were apprehended in the direct vicinity of the vehicle. The passenger door of the vehicle was also open and there was a trail of footprints heading south towards Highway 95. A short time later, supporting units notified BPA Wegener that another subject was found approximately 300 yards away near an abandoned house on Highway 95 with foam glued to the bottom of his shoes. All 17 subjects had foam glued to the bottoms of their shoes.

II. PRINCIPAL

On June 27, 2019 at approximately 1:03 A.M., BPA Noriega and A. Lopez conducted an interview with Guillermo Isidro MAGANA-Arias (MAGANA). MAGANA stated that he was contacted by an acquaintance, asking him if he wanted to work. MAGANA stated that due successfully transporting illegal aliens on six prior occasions, he was trusted to do the job. The type of work he was offered was to pick up people who had illegally entered the United States and transport them to different locations within Yuma, Arizona.

MAGANA stated that on March 26, 2019 he was contacted by his acquaintance for the job they had spoken about. MAGANA stated that he entered the United States with his B1/B2 Border Crossing Card through the Calexico, California Port of Entry. After crossing over into the United States he picked up the pick-up truck in a predetermined parking lot, then drove to Yuma, Arizona.

MAGANA stated that after arriving in Yuma he was called by his contact and told where to go. When he arrived at the predetermined location he found all 16 subjects and told them to climb into the bed of the truck. Shortly after they had loaded up, he saw the lights of immigration official's vehicles. After being pulled over BPAs questioned MAGANA as to why he did not stop when he heard the lights and sirens. MAGANA stated that he was scared and did not know what to do. MAGANA stated that he did not know where he was going to drop the subjects off at because he had not received instructions yet.

MAGANA stated that he was going to get paid \$1,500 USD for this job once he dropped the subjects off in Yuma. MAGANA also stated that he knew that all subjects were in the United States illegally.

III. SMUGGLED ALIENS

On June 27, 2019 at approximately 2:48 A.M., BPA A. Lopez and F. Noriega conducted an interview of Mauricio SALAZAR-Betancourt (SALAZAR). SALAZAR admitted to being a citizen and national of Mexico illegally present in the United States. SALAZAR stated that he agreed to pay \$5,500 U.S. dollars to be smuggled into the United States, and that his destination was Los Angeles, California.

SALAZAR stated that he traveled from Mexico City to San Luis Rio Colorado, Sonora Mexico prior to entering the United States illegally. Prior to entering the U.S. he had foam glued to his shoes in order to attempt to evade detection by Border Patrol agents while walking across the desert.

SALAZAR stated that he entered the bed of the pick-up truck along with all other subjects until his arrest SALAZAR was not able to identify the driver of the truck in a six pack photo lineup, but knew he was male due to the instructions given while entering the bed of the truck.

On June 27, 2019 at approximately 3:17 A.M., BPA A. Lopez and F. Noriega conducted an interview of Marcelino OLIVERA-Moreno (OLIVERA). OLIVERA admitted to being a citizen and national of Mexico illegally present in the United States. OLIVERA stated that he was unsure of how much he would have to pay to be smuggled into the United States.


OLIVERA stated that prior to his entry into the U.S. he had foam glued to the bottom of his shoes in order to avoid detection by Border Patrol while crossing through the desert.

OLIVERA stated that he entered the bed of a truck and did not have a seat belt. OLIVERA also stated that some of the other subjects were on top of him. When shown a six pack photo lineup OLIVERA was unable to identify the driver of the truck.

To the best of my knowledge and belief, the following is a list of all Border Patrol law enforcement personnel present during interviews, statements, and questioning of the Defendant in this matter from initial contact to the writing of this document: BPA Francisco Noriega, BPA Argent Lopez, BPA Keoni Nacis, BPA Monica Cruz, BPA Carlos Barba, BPA Osvaldo Rivera.

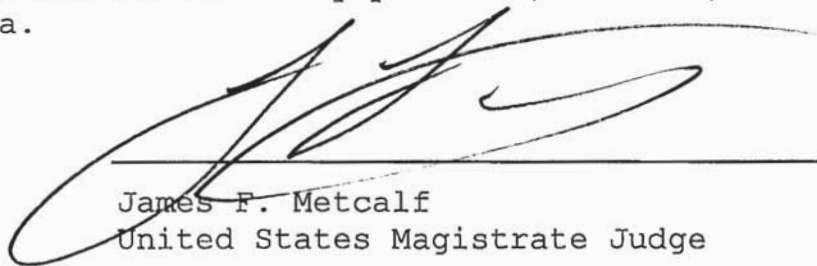
To the best of my knowledge and belief, the following is a list of all Border Patrol law enforcement personnel not already mentioned above who were present and/or took part in other parts of this investigation (e.g., arrest, search, seizure, proactive investigation, surveillance, etc.) from initial field contact through the writing of this document: SBPA Kevin Michael, BPA Eric Rivas, BPA Abraham Garcia, SBPA Matthew De La Pena, BPA Gary Wegener.

Based on the foregoing, there is probable cause to believe that MAGANA-Arias, Guillermo Isidro violated the statutes as alleged in the attached complaint.



Samuel Horrocks
Border Patrol Agent
United States Border Patrol

Sworn to before me and subscribed in my presence, June 27, 2019, at Yuma, Arizona.



James F. Metcalf
United States Magistrate Judge